## UNITED STATES DISTRICT COURT DISTRICT OF RHODE ISLAND

THE ESTATE OF YARON UNGAR, et al.,

Plaintiffs – Judgment Creditors,

v. C.A. No. 00 - 105L

THE PALESTINIAN AUTHORITY, et al.,

Defendants – Judgment Debtors.

## PLAINTIFFS-JUDGMENT CREDITORS' MOTION FOR SUMMARY DENIAL AND ALTERNATE RELIEF

For the reasons set forth in the attached Memorandum, the Plaintiffs-Judgment Creditors ("Ungars") hereby respectfully move for an ORDER

- (1) Summarily denying without prejudice the "Third-Party Intervenor the Palestinian Pension Fund for the State Administrative Employees in the Gaza Strip's Motion to Intervene, and to Vacate or Modify the Preliminary Injunction" (dkt. # 511) ("Motion to Intervene").
- (2) Additionally and/or alternatively, staying briefing on the Motion to Intervene (or, if the existing Motion to Intervene is summarily denied as requested above, any renewed Motion to Intervene) until after the later of:
  - (i) The resolution by the Supreme Court, New York County, of the Ungars' pending motion to appoint a temporary receiver authorized to retain a securities custodian for the assets in New York that are the subject of in the Motion to Intervene;

- (ii) The resolution by the U.S. District Court for the Eastern District of New York of the Ungars' pending requests to obtain discovery regarding various central factual claims made in the Motion to Intervene;
- (iii) This Court's disposition of Defendants' pending objections to Magistrate Judge Martin's decision of May 12, 2010, recommending entry of an installment payment order against Defendants; and
- (iv) This Court's disposition of Defendants' Rule 60(b)(6) motion to vacate.
- (3) Alternatively, if the Court denies all the relief sought above, enlarging the Ungars' time to oppose the Motion to Intervene until fourteen days after entry of the order denying the relief sought.
- (4) Granting any other relief that the Court finds just, necessary or appropriate.

Plaintiffs-Judgment Creditors, by their Attorneys,

/s/David J. Strachman
David J. Strachman #4404
McIntyre, Tate & Lynch LLP
321 South Main Street, Suite 400
Providence, RI 02903
(401) 351-7700
(401) 331-6095 (fax)
djs@mtlesq.com

Max Wistow (#0330) Wistow & Barylick, Inc. 61 Weybosset Street Providence, RI 02903 (401) 831-2700 (401) 272-9752 (fax) mw@wistbar.com

## **CERTIFICATE OF SERVICE**

I hereby certify that on September 7, 2010 the foregoing was served via email and filed using the ECF system which served the following counsel of record:

Deming E. Sherman Edwards Angell Palmer & Dodge LLP 2800 Bank Boston Plaza Providence, RI 02903

Richard A. Hibey Mark J. Rochon Brian Hill Miller & Chevalier Chartered. 655 Fifteenth Street, N.W., Suite 900 Washington, DC 20005-5701

Joseph V. Cavanagh, III Joseph V. Cavanagh, Jr Blish & Cavanagh LLP 30 Exchange Terrace Providence, RI 02903

Charles L. Kerr Mark David McPherson Harold McElhinny Morrison and Foerster 1290 Avenue of the Americas New York, New York 10104

/s/ David J. Strachman